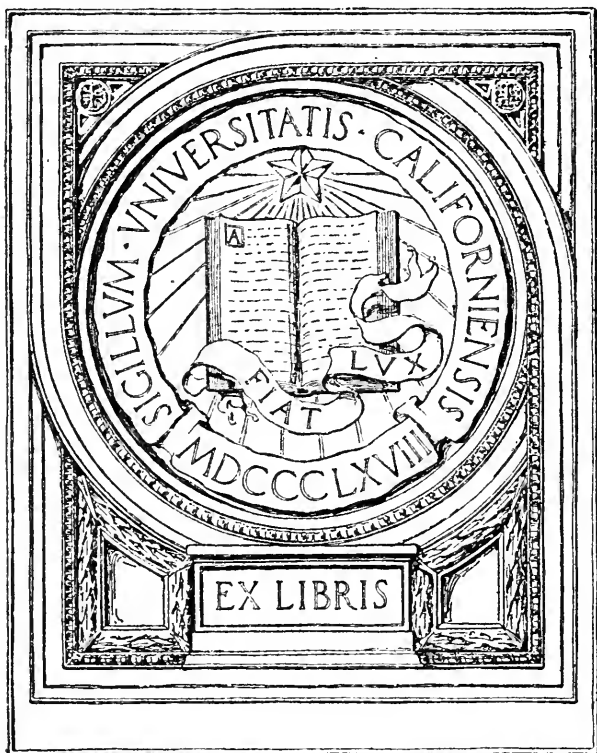


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ADMINISTRATIVE SEPARATION

WHAT BELGIANS IN INVADED BELGIUM
THINK OF IT

WITH A PREFACE BY

M. H. CARTON DE WIART
BELGIAN MINISTER OF JUSTICE

Translated from the French

LONDON: T. FISHER UNWIN, LTD.

1 ADELPHI TERRACE, W.C.

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PREFACE

THESE pages contain the Belgian Nation's reply to the German manœuvre of an "administrative separation."

This reply is profoundly affecting. To appreciate it at its full worth one must bear in mind that the public representatives, the bishops, the magistrates, the officials, whose voice it is, have lived for three years in an invaded country. They are at the mercy of an aggressor without pity or scruples, who ruins, starves and imprisons whoever attempts to oppose his designs. As they are no longer in touch with the regular government of the country, and are deprived of the liberty of the Press, of the right of holding meetings or of forming associations, they now only possess—to inspire them, to knit them together and to protect them—one single guide, one single support—their conscience.

This reply is complete and irrefutable. Not only does it clearly demonstrate that the manœuvre contemplated by the invader is contrary to International Law, to the Hague Conventions and to the Belgian Constitution, but it also establishes—now with open indignation, now with a subtle irony which one reads between the lines—all the hatefulness, the hypocrisy and the futility of the would-be sympathetic cant by means of which the

German authorities flatter themselves that they can beguile the nationalities which they have betrayed and stretched upon the rack.

If there still exist in the countries of the Allies, of neutrals, even in those of the enemy, anyone so simple or so ignorant that he has been deceived by the German tactics, to him we say, as we present these pages : "*Tolle et lege.*" And if among the friends of Belgium there be found some honest man who has doubted and feared as he pondered the possible consequences of these wily tactics, let him also read and meditate. He will discover herein, to reassure and comfort him, a fresh proof of that indomitable tenacity, that unity of all the citizens around their king, which characterises both suffering and militant Belgium, and of which I believe one would vainly seek a more striking example in the past or the present, in time or space.

THE SYSTEM OF CALUMNY.

Whatever method, whatever expedient German policy may have had recourse to, whether in the hope of effacing the indelible stain of the crime which it perpetrated on August 4th, 1914, or in order to break the resistance of the Belgian nation, all its efforts have met with a check and all its malice has only recoiled upon itself.

It is easy to follow—in the light here shed upon them—the successive stages of a policy which shrinks from nothing.

First Stage.—Germany still counts upon profiting fully by her overwhelming attack ; she hopes to annex Belgium.

This is the period of *Calumny*.

In her endeavour to excuse incendiarism and butchery she represents Belgium as a nest of assassins. Has Belgium been put to fire and sword ?—only because she well deserved it ! Have thousands of civilians been shot ? Have the towns of Visé, Dinant, Louvain, Andenne, Aerschot been destroyed ?—it was but in punishment of their crimes ! Neutral countries are stunned by the accounts of atrocities *committed by the Belgians*.^{*} With the sanction of their Government, francs-tireurs, excited by fanatical priests, have surprised defenceless German soldiers ! They have finished off hapless wounded men, whose eyes have been ferociously plucked out by young Belgian girls ! That this abominable fable might be noised abroad to the four quarters of the globe, the German propaganda made use of every instrument in its orchestra. M. von Bethmann Hollweg did not hesitate to give the pitch in resounding interviews. The Kaiser himself developed the *leit-motif* in a despatch which he sent to President Wilson on September 8th, 1914, of which the least that can be said is that it is a monument of errors.

But at the same time it was necessary to weaken the vexatious effect which the violation of a “ scrap of paper ” had produced upon all those for whom the moral

^{*} J. Mélot : *German Propaganda and the Belgian Question*. Van Oest, Paris, 1917.

world still existed. An explanation was soon found : Belgium herself had violated her own neutrality ! For a long time she had most culpably made common cause with England and France against Germany ! By the help of some tail-ends of memoranda or reports devoid of all official character, which she picked out, mutilated and commented upon in her own fashion, this robber nation set herself to cast discredit upon her victim—Cain seeking to blacken Abel.

But at the end of a few months the organisers of this campaign were forced to admit that it had proved a fiasco and to recognise the truth of one of their own old proverbs : “ *Lügen haben kurze Beine* ” (Lies have short legs). The dossiers of the Commission of Enquiry, the letters of the Belgian Episcopate, Waxweiler’s book,* our third Grey Book, and even the maladroit publication by the *Norddeutsche Allgemeine Zeitung* of some reports by the Belgian diplomats at Berlin and Paris—all these combined to bring down in ruin their ingenious framework of calumny. Of so many united efforts one thing only survived : the feeling of profound disgust experienced by all decent folk. And the *Revue Militaire Suisse* accurately voiced this feeling when it published the following lines at the head of its issue for October, 1917 :—

“ Among the saddest sights of the present war, which has seen so many sad ones, is the rancour shown by the German Empire in its attempts to vilify Belgium in the eyes of the world. It has found no processes too degrad-

* Emile Waxweiler : *Belgium, Neutral and Loyal*. Payot, Lausanne, 1915.

ing to put into action which might accuse the violated state of having been itself the author of all the ills, the injustice and the abuse with which its powerful and mean-spirited conqueror has overwhelmed it. In French such conduct would be called a '*lâcheté*' (act of cowardice)."

THE SYSTEM OF EXHAUSTION.

Second Stage.—Germany becomes aware that she has failed to make good her "lightning blow," by which, according to M. von Jagow, victory was to be assured her. She resigns herself to contracting to more modest dimensions the scope of her covetousness. She still hesitates a little as to the form of vassalage which she will impose upon Belgium. In any case, since the necessities of the war call for all kinds of supplies, Belgium can be bled white; can be drained of stores, of industrial equipment, of capital, of manufactured goods.

This is the period of *Systematic Exploitation*. It conforms to the general plan of economic organisation devised by Dr. W. Rathenau. This serves the double purpose of providing for Germany's present war-needs and of enabling her, after the war is over, to adjust matters in the interests of German trade. Taxation, fines and war contributions, the removal of raw materials and machinery, decrees of requisition and spoliation, every method of depletion, indeed, are made use of with such skill that the losses of occupied Belgium at this moment, as admitted in German documents, amount to more than eight thousand millions of francs.*

* F. Passelecq : *Les Déportations belges à la Lumière des Documents allemands*. Berger-Levrault, Paris-Nancy, 1917.

* Nor is that all. Besides the supplies of money and materials there is a supply of man-power available. The German authority, therefore, enrolls all the healthy workmen resident in the occupied territory, tears them brutally from their homes, and, under threat of letting them die of hunger, forces them to work for their oppressor. In this manner she again obtains a double advantage. First, her own good ; these slaves provide manual labour which permits her to supplement or to replace soldiers who are working in the mines or factories, who can thus be set free for active service. Secondly, harm to others ; Belgium will be more heavily scourged hereby for her obstinate resistance, and the families whose heads have been taken away will clamour for peace at any price !

Once more she has miscalculated. Though already satiated with horrors, the civilised universe receives with indignation the news of these wholesale deportations, which recall the days of Assyria and Babylon. Another disappointment ; these Belgian labourers, these “ dunder-heads,” refuse in spite of all to work for the enemy. Those believed to be submissive “ down tools,” and when settled among German populations they make known to the latter certain truths which have been carefully hidden from them.

Instead of allowing themselves to be disheartened these thousands and thousands of nameless heroes hold their heads more proudly. They declare in the pathetic appeal addressed to the workers of the whole world :

“ As to us, if violence for the moment succeeds

in subjugating our bodies, our souls will never bow to it. We will add : whatever our sufferings may be, we desire no peace which does not secure the independence of our country and the triumph of justice."

However, this fresh check does not discourage the fertile imagination of the enemy. Quite the contrary. The Machiavellis of German policy have in reserve a new method, which this time depends rather upon craft than violence. Let the military headquarters staff leave things to them, for they hold the key to the Belgian problem !

THE SYSTEM OF ADMINISTRATIVE SEPARATION.

Third Stage.—This new, most recent method waives the unconditional annexation of Belgium, but it inaugurates and actively pursues a policy of dislocation calculated to place the country—after peace shall have been restored—despite an outward appearance of independence—in the position of a vassal and ward of Germany. How so ? you ask. To that end the aggressor will only need, after having betrayed, slandered and ruined the country which he should have protected, to leave it at his departure virtually dismembered. He will not fail, if it be possible, to exact, when peace terms come to be discussed, that the institutions, rife with dissension, which he has created, shall be maintained. In any case, he will endeavour, with the help of the accomplices or dupes whom he has associated with the undertaking, to leave secret agents in various posts—to leave the steel in the wound, as it were.

This is the period of *Administrative Separation*. Nothing can be more simple than such a system, prompted by the old Austrian maxim: "*Divide ut imperes*." Since two national tongues are spoken in Belgium and since they belonged in ancient days to ethnically different groups, Germany suddenly evinces a most passionate sympathy for the particular language, Flemish, which is of German origin—like the English or the Scandinavian tongue. She will adopt the Belgians who speak this tongue as a "brother nation" Not to promote their interests, however, for there is no question of preparing for the autonomy and independence of the Flemings! Governor-General von Bissing, who was the chief "manager" of this hypocritical policy, takes care to explain this in a memoir which was, it is true, intended to remain confidential and which has only been brought to light since his death. "We cannot under any circumstances," he avers, "allow the Flemings to become entirely independent. Being of German origin, they will, by their opposition to the Walloons, become a valuable reinforcement." As to Reventlow, the *enfant terrible* of Pan-Germanism, he does not hesitate to repeat publicly again and again: "Administrative separation will not be enough for the safe-guarding of German interests. The only thing which will cure the Belgians of their antipathy towards us will be the definite sway of Germany over the Flemings as much as over the Walloons, which will absolve them both from their obsession of fidelity to the Belgian

State and the Belgian Royal House.”* While awaiting this result—as a means to obtain which General von Bissing hints in scarcely veiled terms at assassination—Germany will employ every mode of “Teutonising” a portion of Belgium. Up to the very last day of the Occupation she will shrink from nothing which can be utilised to estrange Flemings and Walloons. She will exert herself to stir up misunderstandings between them ; at need, she will invent these misunderstandings and exploit them for all they are worth in neutral countries, with the mental reservation that, when peace comes, she will take credit for the results of her policy of disunion in order to claim, in the name of the interests of “Flemish nationality,” a warrant for perpetual interference in Belgian State affairs.

This time also, the invader has reckoned without his host. Even those Belgians most honestly anxious for the development of Flemish culture have had no need to recall the measures applied by Germany to the Danes of Schleswig and to the Poles of Posen, to enlighten them as to the manœuvres of their hated enemy. Those living outside the occupied country denounced and repudiated the scheme in the most energetic terms. Inside the occupied country, facing the enemy, all those who are qualified to speak either in the name of the Flemish-speaking Belgians, or of those using the French tongue, have replied in the admirable protest published

* Reventlow, *Belgian Hatred and its Treatment*, in the *Deutsche Tageszeitung* of September 27th and October 2nd, 1917.

below to this scheme for sowing discord and ruin among them.

An American diplomat, interviewed when leaving the invaded country, describes in the following words the probable results of this administrative separation :—

“ Some of my French friends have asked my opinion on the Flemish question. Doubtless the bluff of the German papers upon this subject has misled them. Tell your compatriots that there is no longer a Flemish question in Belgium and that the administrative separation imposed by the occupying Power has united Flemings and Walloons. There, again, the Prussians have given proof of defective psychology. This question interested me extremely ; I had the curiosity to interrogate a great number of Flemings, and there was no ambiguity in their replies. All understand that a close union of the Belgians is more necessary than ever, since the Germans are so bent upon dividing them. But all their threats fail to shake the steadfast hearts at which they are hurled. Most of the people are ready to let themselves be deported into Germany rather than accept posts which have been arbitrarily assigned to them by their oppressor. As for the traitors who have given the name of the “ Council of Flanders ” to their little faction, if only the people could get hold of them one by one in a conveniently retired spot, well—they would soon learn what sort of popularity theirs was ! ”*

And, better still, even in Germany itself some clear-

* Statement by M. R. de la Torre, Vice-Consul attached to the Cuban Legation at Brussels, *XX^{me} Siècle*, June 16th, 1917.

sighted publicists have had the courage to make known the set-back to the crafty policy upon which General von Bissing founded such confident expectations :—

“ If the Flemings are allowed to vote, they will decide by a crushing majority to remain in the Belgian State. It is required that the Treaty of Peace should give protection to national minorities in general—a proper stipulation ; but, as regards the Flemings, we find ourselves in a singular position, since it would be attempting to protect a majority against a minority, a majority which, moreover, possesses all the political weapons needed for its own defence. Protection of the Flemings would simply mean guardianship by a protecting Power. But the liberty which the Flemings have enjoyed up to now is too great for them to desire such a thing, or even to submit to it.”*

Thus writes Kautsky, one of the intellectual heads of the German Social Democrats.

In the *Vossische Zeitung* for September 24th, 1917, another German writer, Georg Bernhard, who has lived in Belgium, adds his testimony :—

“ Whoever has been in Flanders as a soldier knows that the majority of the Flemings have no feeling of gratitude towards the Germans for their so-called ‘ liberation.’ Germany must expect no guarantee for the future of a definite separation between Flemings and Walloons.”

The *Bergische Arbeiterstimme*, an organ of the German

* In the *Neue Zeit* (organ of the German Socialist Minority), September 14th, 1917.

miners, expresses the same opinion, with some humour, in its issue of August 27th, 1917 :—

“ The oppression of the Flemings is one of the discoveries brought about by the war. Before the war, nobody, either inside or outside Belgium, ever dreamed that these Low-Germans were oppressed. Nor could anybody have imagined it, since the Flemings form the majority of the Belgian nation and have a majority in the Chamber of Representatives.

“ Nor, before the invasion of Belgium, did anyone think about such a thing as Flemish-Germanic kinship ; and we have not yet learned that the Germans were hailed by any person whatever as liberators from some impalpable yoke. On the other hand, it would be well to bear in mind that the Belgians are filled with a deadly hatred of the Germans.”

All the Occupant's ordinances and his methods of coercion—deportations, imprisonments and confiscations—will alter nothing. On the contrary, Germany will be unsuccessful. Naught of all her elaborate apparatus of administrative sub-division will survive when the country is set free. With the reptile will disappear its venom.

When again free to follow its own bent, our national unity, far from having been enfeebled, will show itself strengthened and consolidated by the blood and tears that have been shed. Of all the enemy's attempts to disunite us no visible sign will remain except the formulas which might hereafter imperil the foundations of our national independence. “ *Fas est et ab hoste doceri.*”

THE LANGUAGE QUESTION IN BELGIUM.

The co-existence of two languages is not exactly a new thing in Belgium. This phenomenon has been a part of our history for a thousand years, as it is now of our everyday life, and there is not a single pure-bred Belgian who does not know and understand it much better than the pedants beyond the Rhine.

We are none of us unaware that this phenomenon, while offering certain advantages, also causes some difficulties. The advantages are real ones. This "bilingualism" corresponds with the traditional and geographical rôle of Belgium—the triangle of conjunction and safety for Western Europe—in which, since the earliest days of the Christian era, the Latin and German currents have flowed together and intermingled. It is worth while sharing to a certain extent the genius of these two civilisations. As to the difficulties to which this bilingualism naturally gives rise, Belgium is quite accustomed to solve them, thanks to faculties of which she has long made use, though she has no monopoly of them—good sense, respect for everyone's rights, and the joint interests of her communal institutions.

SOME ASPECTS OF THIS QUESTION.

This good sense objects to refusal to compromise and to intolerance. It tries to find a just mean in everything ; it accommodates itself by instinct to broad and liberal solutions. Its respect for everyone's rights will be found in its "Fundamental Charter" of 1831, as in its

“franchises,” its “Peace,” its “Joyous Entries” of the Middle Ages. The Belgian character has no touch of Prussian servility, and it easily blends the will to live in common—which is the very essence of a national spirit—with a great variety of philosophic and political ideas, as also with differences in social conditions and the use of two traditional tongues.

Moreover—and this fact should be made clear—communal autonomy, which with us is no vain word, has greatly helped to solve the “bilinguistic” problem.

Strangers, including those who show us the most sincere sympathy, do not understand that for centuries, even under the appearance of foreign domination, Belgium has really enjoyed independence in her provinces and, above all, in her communes. To-day even the tie which binds our communes to the State does not affect their individuality or their private life.

If the national emancipation of 1830 has provided a more solid and better recognized exterior for the central authority, and the State’s sphere of action has been thereby enlarged, none the less has the commune remained the very nucleus of all our internal affairs.

This communal autonomy, which has once again proved its value with so much dignity, and even heroism, under German oppression (for the conduct of our burgo-masters, our aldermen and our communal councils in face of the enemy is one of the finest episodes of this war), will without question emerge from the great cataclysm stronger and more respected. It has played

and will again play a useful part in our age-long effort—made up of good sense and goodwill—to include in the union, and even in national unity, all our individualities of race and tongue, equally with the variety of our political opinions and our economic interests.

In a neutral, friendly State, jealous, like ourselves, of its independence, and whose very similar difficulties have also proved no obstacle to the purest patriotism, Dr. E. Schwab, a learned Professor of Basle University, in the course of a powerful digest, wherein he demonstrated that the Belgian question is “the actual question of Justice or Injustice,” recently wrote :—

“We were not unaware that, before the war, there existed a Flemish movement seeking to maintain and to get duly appreciated the originality of the Flemish language. But it is beyond dispute that the German Government in Belgium has made use of this Flemish movement to serve exclusively German interests. For otherwise why should the German Government concern itself with matters which only affect the Belgians? In Switzerland we have naturally a full perception of the linguistic struggle between different races in the same country, and we know that the policy of ‘*divide ut imperes*’ still finds docile disciples. But we also know that national sentiment and the consciousness of collectively forming the same indivisible State are stronger than mere differences of language can be. Things go the same way in Belgium, where the overwhelming majority of Flemings repudiate the ‘protection’ which

Germany offers. Nobody has asked for the assistance she thrusts upon them.”*

WHAT WE DO NOT DESIRE, AND WHAT WE DO.

No ! Nobody has asked for this hypocritical and treacherous assistance, nobody desires it.† All those who have the right to speak in the name of Belgium reject it with horror and disgust. Read the following pages, where these emotions are summed up in the emphatic utterance, proudly flung at M. von Bethmann Hollweg’s feet by the principal inhabitants of the country in their collective letter of March 10th, 1917—and with which are associated all Belgian families dispersed throughout the world, all our soldiers battling in the trenches, and those heroes and martyrs sacrificed by thousands and thousands who still make their voices heard from the recesses of the gaol or of the tomb :—

“ All of us, Flemings and Walloons, have at this time one single hope, one single desire, one single thought :

“ *BELGIUM FREE AND INDIVISIBLE.*”

H. CARTON DE WIART.

LE HAVRE,

November 15th, 1917 (King Albert’s Fête-Day).

* In the *National Zeitung* of Basle, issues of August 8th and 28th, 1917.

† See M. F. Passelecq’s book, *Germany and the Flemish Question*. Berger-Levrault, Paris-Nancy, 1917.

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THE GERMAN ADMINISTRATION'S ATTEMPT TO SPLIT BELGIUM POLITICALLY.

PROTESTS BY THE BELGIANS, FLEMINGS
AND WALLOONS OF OCCUPIED BELGIUM.

I.—A LETTER FROM LEADING FLEMISH POLITICIANS
PROTESTING AGAINST THE ACTIVISTS OF THE SELF-
STYLED "COUNCIL OF FLANDERS" AND AGAINST
THE ADMINISTRATIVE DIVISION OF THE COUNTRY
(March 10th, 1917).

ANTWERP, *March 10th, 1917,*

*To His Excellency M. von Bethmann Hollweg, Chancellor
of the German Empire, Berlin.*

On March 3rd you received at Berlin a deputation from an organization which styles itself *The Council of Flanders*, but is quite unknown in our country.

From communications made to the newspapers we get the impression that this deputation claimed to represent the Flemish people or a considerable portion of them ; also, that it professed to consist of important persons having prestige and authority in this country.

It would be very damaging to let such a notion pass uncontradicted.

The individuals who have taken upon themselves, while war is still being waged, to offer their help to the German Government in order to divide up their country, and to modify radically its internal organization, have no right to speak in the name of the Flemish people, and do not in any way represent its wishes or aspirations.

Before the war, while entirely independent, our Flemish population elected its representatives in the Chamber and the Senate to the number of 113 members of the former and 57 senators. But of all the 170 elected there were but two who attached themselves to what is called the "activist" movement.

The petition addressed to the Belgian Government on the subject of converting the University of Ghent into a Flemish University was formerly signed by 2,000 holders of University diplomas. Hardly a hundred are to be found who approve of the new policy, and of this small number there are already many who have openly cancelled their signatures, while others do not conceal the fact that they were led into an error, or that they made a mistake and now regret their action.

Flemish territory and the Flemish movement have for some years been represented by great and powerful associations of the literary and political circles, such as the *Willemsfonds*, the *Davidfonds*, the *Nederduitsche Bond* and the *Liberale Vlaamsche Bond* of Antwerp; the *Liberale Volksbond* of Brussels; the Labour Groups affiliated to our three political parties; the *Bond der*

Vlaamsche Rechtsgeleerden; the *Vlaamsche Natuur-Geneeskundige Congressen*, and many others.

None of these important bodies have given their adhesion to this anti-patriotic policy; on the contrary, their heads and representatives have taken the opportunity of vigorously pronouncing against it in the protest addressed to Governor-General von Bissing, January 8th, 1916, on the subject of the University of Ghent.

Of late years no Flemish reform has been demanded by the Flemish population with a unanimity equal to that shown when they claimed respect for their rights on this question of the University. The rough draft of a Bill concerning the proposed transformation of the University of Ghent was presented in the Chamber by the Flemish Deputies who had been selected for that purpose by the whole Flemish people at hundreds of meetings. Of the six signatories to this Bill five are still alive; *all* of them have protested against German interference in a matter which is simply one of internal policy; *all* are opposed to administrative separation.

On the other hand, one knows the opinions of the directors and principal editors of the Flemish press, who, before the war, composed one of the strongest forces of the Flemish movement; *all*, without exception, oppose this policy.

Lastly, and above all, our King, to whom we are so zealously devoted, and our Government, which, under the protection of our gallant army, continues to hold our flag aloft, have unreservedly condemned the tendencies of this little group of so-called activists.

These facts have been substantiated ; and they are enough to show the real value of this deputation of nobodies representing an unrepresentative Council. The circumstances in which this council came into existence are of themselves sufficient to deprive it of all authority. You are doubtless well aware that in Belgium all associations occupied with political interests have been dissolved by the Occupying Power ; that the right of assembly is suppressed ; that liberty of speech is muzzled under threat of banishment or imprisonment ; that Flemish notaries, such as Professor Paul Fredericq, Professor de Bruyne, M. Alfons Sevens, have been carried away to Germany, and that of all the old Flemish newspapers reporting the public opinions of our country not one is now allowed to appear. What value, in these circumstances, can an impartial observer attach to the opinions of those for whom, by the enemy's favour, all these restrictions have been waived, and whose language and actions serve that enemy's policy in opposition to their own King's ?

The sub-division of our country into a region of Flemish administration and a region of Walloon administration is the end which these gentlemen have at heart. As your proclamation says, " the linguistic frontier should as soon as possible become the limit of the two regions united under the authority of the Governor-General, but which *are otherwise separated from an administrative point of view.*"

Our reply to this policy is a brief one :—*Administrative separation has no place in the Flemish programme.*

When, a few years ago—a forgotten episode—certain Walloons, with no outside backing, suggested administrative separation, it was with the assent of all the Flemings that one of the most radical among them made this categorical reply :—

“ I am anxious to state clearly and explicitly, on this solemn occasion and in the presence of so great a number of *Flamingants* and heads of the Flemish movement, men of all shades of opinion and all political parties, this fact : Never yet, not even in the darkest days of the history of Flanders after 1830, *has one single voice been raised in our ranks asking for anything resembling administrative separation.*” (Page 47 of Report.)

Then, after having assured them that neither fear nor personal interest made him speak thus, but love of our united Country, the orator, referring to Belgium, continued (page 49) :—

“ We know that this little country is neither large nor powerful ; we do not consider that its independence and neutrality are sufficiently insured against all dangers for us to wish rashly to diminish or weaken the strength of resistance which it owes to the union and concord which thrive in the midst of its population of two combined nationalities, or to let it be divided *upon any pretext whatsoever*—not even for the reasons now under discussion, which outwardly seem to be national in character, but behind which lurk political preoccupations.”

And he concludes with this positive assertion :—

“ I solemnly declare, and I am certain that here and now I express the fundamental conviction of all Flemings, that, even were the separatists' ideas not so ill-founded, *even then*, I say, *we would not at any price hear tell of separation.*”

“ In order to remedy certain unsatisfactory features it is necessary to take legislative measures—for instance, to revise some of the electoral laws ; but not such measures as *could weaken the external defences* of our country, which is already sufficiently subdivided internally.”

Thus, upon August 12th, 1912, spoke M. Pol de Mont, as President of the Netherlands Congress of Language and Literature held at Antwerp ; and in this assembly, the most authoritative which the Flemish movement ever brought together, he met with unqualified approval.

Who then dare maintain, in the face of this, that administrative separation is one of the articles of the Flemish programme ?

Does your Excellency imagine, moreover, that reasons which were so forcibly expressed in 1912, in the name of the whole Flemish movement, are likely to have lost their force in 1917, after all that has happened to our country ? Do you take us to be so blind that, after our people have with such splendid heroism sacrificed their property and their lives in defence of our flag and our national honour, we shall accept as the reward of all this devotion the partitioning of our country, the cleaving asunder of our nationalities, to the end that, immediately after the apparent—but only temporary—

restoration of peace, we may fall an easy prey to ambitious military neighbours ?

These considerations should be enough to convince your Excellency that the Flemish people does not desire administrative separation.

Truth to tell, this population is firmly resolved that, when peace comes, justice shall be done to it where its linguistic rights are concerned. And those are blame-worthy who go about hinting that after the war nothing more will be heard of our just demands. That is evil talk and harmful to our country. But, however much we blame them, we are the more certain that it is our duty, as representing the public, to notify you that whatever has been told you in Berlin does not correspond with the hopes and wishes of our Flemish population.

Moreover, is the introduction of this kind of measure within the rights of the occupying Power ?

International law does not allow the Occupant to modify existing institutions except in cases of absolute necessity due to military considerations. The Hague Conventions are definite upon that point, and your own consulting lawyers say on the subject :—" Before all else, the principle must be kept in sight that the Occupant has no right to modify, still less to suppress, the jurisdiction which has been created by the administration and legislation of the country, nor to interrupt the working of the executive."—(Professor von Ullmann, of Munich University, *Völkerrecht*, paragraph 183, page 445.)

Now, administrative separation is in contradiction to all our laws and can be defended by no one as an act inspired by military necessity ; you yourself have not offered that excuse for it.

Your Excellency seems in other respects also to have got an inaccurate idea of the Flemish movement. Its object is not to fight the Walloons or France, but to raise to its proper position our fine old language, Flemish, which has been unjustly neglected. The Flemish Belgians are not a race incorporated by force into some great country ; they are free associates in a free democracy. They are, in general matters, masters of their own destiny, and have not waited for a stranger's intervention to voice their linguistic grievances. This is shown by :—

The Flemish law of 1873 about judicial organization.

The law of May 22nd, 1878, about administrative organization.

The law of 1883, about means of official instruction.

The law of May 3rd, 1889, about judicial organization.

The law of September 4th, 1891, and of February 22nd, 1908, dealing with the same subjects.

The law of April 18th, 1898, about the publication of laws, by which the equality of the two national tongues was officially sanctioned.

The law of May 12th, 1910, about the means of free education.

The law of July 2nd, 1913, about the Army.

The law of 1914 about elementary education.

Your Excellency is yourself a judge of the question whether in the same space of time those peoples who inhabit Germany, but do not speak the German language, have obtained reforms of equal significance.

Admittedly, the progress of reforms and of justice in Flanders is neither perfect nor complete ; but the measures still lacking—especially those relative to higher education—we wish to be passed, like all previous measures, in the words of our own Constitution and in full independence ; and we are convinced that our common struggles and sufferings have only drawn closer still the ancient ties which unite the Flemings to their Walloon brothers.

Whatever the Occupying Power may do in the meantime will be, in virtue of international law, non-existent to us from the day that the occupation ceases.

You certainly declared at Berlin “ that the German Empire would do, at the time of the peace negotiations and subsequently, all that it could to facilitate and ensure the free development of the Flemish race.”

We understood that *your* policy leads you to hold this language ; but, on your side, you will understand that the honour, the self-respect and the patriotism of *our* population only allow of one reply :—

Never will we accept a peace which will permit your Government, or *any other foreign State*, to interfere in our internal affairs.

However long the war may last, the independence of our country must be the same after the war as it was

before : as clear, as complete, whether towards the East, the North or the South : from no point of view, whether economical or political, will we submit to any subjection, no matter at whose hands.

EXCELLENCY,

It is not our intention, nor, indeed, is it in our power, to begin during the war an agitation on the subject of this project which we are discussing ; but as representatives of the public, as heads of important Flemish associations and institutions, we owe it to truth and to ourselves not to leave you in ignorance about the real facts and our feelings and intentions.

In ordinary times thousands of signatures would be added to ours. At the present moment it is not possible for us to reach all the signatories to the protest against the interference of the German authorities in the organization of the Flemish University of Ghent.

But all those who know our Flemish people know that we have conveyed the general opinion with exactness and moderation. If your Excellency doubts this you need only remove the restrictions which now limit our exercise of the rights of free speech and free Press, and from the Ardennes to the sea the attitude of the separatists will be condemned, and our whole nation will say to you :

All of us, Flemings and Walloons, have at this time only one wish, one hope, one single thought :

BELGIUM FREE AND INDIVISIBLE.

[Signed]

LOUIS FRANCK, Deputy for Antwerp, President of the Flemish Law Association.

Baron COGELS, Senator, Ex-Governor of the Province of Antwerp.

Count DE BAILLET-LATOUR, Senator, Ex-Governor of the Province of Antwerp.

JAN DE VOS, Burgomaster of Antwerp.

ALFONS RIJCKMANS, Senator for Antwerp.

LEON VON PEBORGH, Senator for Antwerp.

ELBERS, Senator for Brabant.

VINCK, Senator for Brabant.

A. DE BECKER-REMY, Senator for Louvain.

Baron DE KERCHOVE d'EXAERDE, Senator for Audenaerde-Alost.

DE BLIEK, Senator for Audenaerde-Alost.

OSCAR VAN DER MOLEN, Senator for Antwerp.

CALLENS, Senator for Antwerp.

Baron VAN REYNEGOM DE BUZET, Senator for Malines-Turnhout.

G. ROYERS, Deputy for Antwerp.

R. DE KERCHOVE D'EXAERDE, Deputy for Antwerp.

E. DE MEESTER, Deputy for Antwerp.

EDM. DUYSTERS, Deputy for Antwerp.

F. DE SCHUTTER, Deputy for Antwerp.

DE BUE, Treasurer of the Chamber of Representatives, Brussels.

BORGINON, Deputy for Brussels.

ROBIJN, Deputy for Brussels.

Vicomte DE JONGHE D'ARDOYE, Deputy for Brussels.

J. NOBELS, Deputy for Saint-Nicholas.

Dr. LAMBORELLE, Deputy for Malines.

J. RENS, Deputy for Alost.

EMILE TIBBAUT, Deputy for Termonde.

BUYL, Deputy for Ostend-Furnes-Dixmude.

RAOUL CLAES, Deputy for Louvain.

CL. PETEN, Deputy for Hasselt.

JOS. VERACHTERT, Deputy for Turnhout.

A. VERSTEYLEN, Deputy for Turnhout.

EDMOND PICARD, Bâtonnier to the Order of Advocates of the Belgian Court of Appeal, Brussels.

EMM. MONTENS, Acting President of the Standing Committee of the Province of Antwerp.

A. WERWILGHEN, Permanent Deputy for Eastern Flanders.

VAN HOORENBEEK, Acting Burgomaster for Malines.

F. DU FOUR, Acting Burgomaster for Turnhout.

Dr. DE SMEDT, Burgomaster of Saint-Nicholas.

COOTMANS, Burgomaster of Berchem.

Dr. VAN DAMME, Burgomaster of Hoboken.

A. COOLS, Alderman of the City of Antwerp, member of the Committee of Management of the Belgian Labour Party.

VAN DEN HENDEN, Alderman of Malines.

Mgr. CLEYNHENS, Dean of Antwerp.

Mgr. ROUCOURT, Dean of Antwerp (2nd District).

Père RUTTEN, General Secretary of the Christian Unions.

Canon E. LUYTGAERENS, General Secretary of the Belgian Boerenbond.

- E. VLIEBERGH, Professor of the University of Louvain, President of the "Davidsfonds."
- A. VERMEYLEN, Professor of the University of Brussels, President of the Society of Flemish Men of Letters.
- DUFLOU, Professor at Brussels University.
- Dr. GALLEMAERTS, Professor at Brussels University.
- Dr. HEGENSCHIEDT, Man of Letters, Lecturer at Brussels University.
- Dr. NUYENS, Retiring President of the Netherlands Association of Antwerp, president of the Flemish Catholic University Extension.
- JUL LAGAE, Sculptor, Member of the Royal Academy of Belgium.
- JULIAAN DE VRIENDT, Ex-Deputy, Director of the Fine Arts Academy, Antwerp.
- N. CUPERUS, Honorary President of the Flemish Liberal Association of Antwerp.
- E. DE PUYDT, President of the Flemish Liberal Association of Antwerp.
- Dr. TEIRLINCK, President of the Liberal Democratic Association of Brussels.
- IS. VAN DOOSSELAERE, Grand Master of the Freemasons' Lodge "Marnix de Saint-Aldegonde."
- JAN VAN MENTEN, President of the Belgian Press Association (Antwerp-Limbourg Section).
- KAREL WEYLER, Communal Councillor of Antwerp, Ex-President of the Liberal Labour Party and of the Flemish Conference for the Antwerp Bar.
- M. MOESSLY, former President of the Liberal Labour Party of Antwerp.
- J.-G. DELANNOY, Communal Councillor of Antwerp, Member of the Managing Committee of the Belgian Labour Party.

HECTOR LEBON, former President of the Flemish Group at the Antwerp Bar, Secretary to the Disciplinary Council of the Ordre des Avocats.

J. JANS, Ex-Bâtonnier at the Antwerp Bar.

K. ADRIAENSSENS, President of the Association of Diesterweg Teachers.

J. SOETEN, Communal Councillor of Antwerp.

Dr. SCHUYTEN, Member of the Committee of Management of the Flemish Section of Doctors and Anatomists.

Dr. MAURITS SABBE, Editor of the *Vlaamsche Gids*, Malines.

HERMAN TEIRLINCK, Man of Letters, Member of the Managing Committee of the Society of Flemish Men of Letters, Brussels.

KAREL VAN DE WOESTIJNE, Man of Letters, Brussels.

F. CLAES, President of the Antwerp Archæological Society, Custodian of the Museums of Steen and Vleeschhuis.

R. KREGLINGER, former Secretary of the Liberal and Constitutional Association of Antwerp, Secretary to the Antwerp Section of the Education League.

WALTER VAN KUYCK, Vice-President of the Liberal Democratic Association.

V. RESSELER, Secretary of the Association "Vereeniging tot Bevordering van Volkskracht."

JEF VAN DE VENNE, Secretary of the Flemish Liberal Association of Antwerp.

AUG. DE BRUYNE, Communal Councillor of Hoboken.

GEERSENS, President of the Flemish "Jeune Garde" of Antwerp.

II.—LETTER FROM WELL-KNOWN POLITICIANS OF BRUSSELS AND THE WALLOON DISTRICTS, AND THE PROTEST BY THE LEADING POLITICIANS OF THE FLEMISH PROVINCES (April 7th, 1917).

To His Excellency M. von Bethmann Hollweg, Chancellor of the German Empire, Berlin.

In their letter to your Excellency sent from Antwerp on March 10th, 1917, the representatives appointed by the Flemish people freely expressed their opinions in reply to the declaration of the Chancellor of the German Empire that "the Flemish part and the Walloon part of Belgium should be absolutely separated in matters of administration, as speedily as possible."

Since then a decree of the Governor-General, Baron von Bissing, of March 21st, 1917, has carried out this injunction by ordering the formation in Belgium of two administrative regions, one to the north, the other to the south, of the line laid down in that decree, like a frontier dividing two races.

The elected representatives of the Walloon and mixed districts cannot any more than their colleagues of the Flemish district subscribe to a decree which tends to nothing less than the dismemberment of their country.

Article 43 of the Additional Standing Orders of the Hague Convention of 1907 lays upon the Occupant—unless hampered by a definite opposition such as no one would even contemplate under present circumstances—an obligation to respect the laws in force in the country.

Now, could a shrewder blow be struck at our local legislation and the stability of our most essential institutions than the overthrow of our administrative organization ?

The same article charges the Occupant with the maintenance of order and public life. What measure could have a more fatal effect upon the working of the public services than the displacement of officials and the alterations in position and salary of those who still hold their posts ?

EXCELLENCY,

The first Governor-General in Belgium, Baron von der Goltz, in the proclamation made when he took up his appointment, addressed himself to the Belgian citizens without discrimination thus : " I do not require anyone to abjure his patriotic sentiments."

It would be abjuring these sentiments should we conform to the threatened change of rule.

The Belgians, faithful to their national motto, have vigilantly cherished in their ranks the union which implies strength.

It is an impious and foolhardy act to sow dissension among the children of a family, among sons of the same land. Flemings and Walloons, attached to each other by ancient bonds, daily mingle their blood upon the battlefield : the daily community of peril and suffering binds them more closely together.

It is not through foreign rule, but of their own fraternal

will, that Flemings and Walloons anticipate the solution of questions of mutual interest.

In concert with the signatories of the Flemish manifesto, the undersigned with one voice and one heart salute their country :

BELGIUM FREE AND INDIVISIBLE.

BRUSSELS, *April 7th, 1917.*

*(The signatures follow of Deputies and Senators of Brussels
and of the Walloon Districts.)*

III.—LETTER FROM CARDINAL MERCIER TO THE GERMAN
GOVERNOR-GENERAL OF BELGIUM CONCERNING
THE ARREST OF OFFICIALS OF THE MINISTERIAL
DEPARTMENTS.

Archbishopric of Malines.

MALINES, *June 6th*, 1917.

M. LE GOUVERNEUR-GÉNÉRAL,

Since the first occupation of Belgian soil by armed force the delegates of the Imperial power understood that they were bound to organize the administration of our country in conformity with international law. •

Baron von Bissing, in accordance with the provisions of the Hague Convention, addressed an invitation to the various ranks of officials upon whom the civil administration depended, the tenor of which, somewhat condensed, amounted to this :—

Do you consent to carry on, under my general administration, the functions which you fulfilled in the service of the Belgian Government? Like my predecessor, Baron von der Goltz, I do not require you to abjure your patriotism; I ask for your assistance for the common good. You will continue your management of the Belgian finances, whose administration I assume provisionally, as before the occupation, under one condition only—that you promise in writing to perform your duty loyally, and to take no action against the German executive in occupied Belgian territory.

Many of the State employés then submitted their conscientious scruples to the ruling of religious authority. Could they back up a foreign administration without forfeiting their patriotism and loyalty towards the legitimate Government ?

This question was a serious and delicate one.

At the first Hague Conference (1899) the delegate from the Low Countries, M. van Karnebeek, moved : " To reject all provisions designed, directly or indirectly, to authorise the officials of an invaded country to place themselves at the service of the conqueror." The general assembly, however, showed itself to be less uncompromising. It grasped the fact that many functionaries can better fulfil their duty towards their countrymen, at any rate from the moral point of view, if they remain at their posts under the invader. None the less, at the Brussels Conference, in 1874, and at the Hague Conference in 1899, the representative official draughtsmen of international law insisted that officials should have liberty to resume or to refuse to resume their duties when invited to do so by the occupant, and also liberty to throw them up again after having accepted.

I would beg your Excellency to read again Article 43 of the Brussels Conference in 1874 and the Protocols to that Conference. You will there find the explicit statements of M. Beernaert and of Baron Lambermont for Belgium ; of M. Landsberge for Holland ; of M. Vedel for Denmark ; of Colonel Staaf for Sweden and Norway ; all supporting the giving of this liberty to officials. I

invoke the testimony of neutral nations who are still the indisputable arbitrators of international law.

I would beg your Excellency also to read once more the Protocol of the Hague Conference of 1899 and the Report of Rolin, the authorised commentator upon the articles passed at that Conference. Your Excellency will again see that this assembly unanimously refused to the Occupant the right of "actually compelling employés of every class in the occupied state to resume their duties."

Since the General Government at Brussels, at the end of the year 1914, sent out its invitation to the Belgian public authorities under the ægis of the Hague Convention, it was according to the latter that I satisfied my own conscience and replied to the hesitating officials:—

"The contract of employment given you to sign shows nothing which could compromise either your moral and religious conscience or your patriotic dignity. You can therefore sign it without forfeiting either honour or patriotism.

"In point of fact, your services will help the national interests. Could you consult the Belgian Government, I do not doubt that it would ratify your acceptance. Thus your patriotism will not be found wanting. As for the pledge required 'to take no action against the German Executive in occupied Belgian territory,' it only binds you to outward respect and order and to the laws necessary for their maintenance; these laws none of you propose to break. If, in the future, the conditions of the contract now given you should be altered,

you will always be free to resign. This liberty is given and guaranteed you both by national and international law."

The possibility foreshadowed in December, 1914, has unhappily become a fact.

The decree of administrative separation, which threatens to upset the general administration of our country and to shatter our national unity, places the State officials in a position which many of them judge to be incompatible with their self-respect and their conscience.

They have, therefore, the right to give up their employment; and the legitimate exercise of that right carries no sentence of exile nor of imprisonment.

The rule added at the Hague Convention on October 18th, 1907, stipulates in Article 4 that the occupant must "respect, *unless absolutely prevented*, the laws in force in the country."

Nothing prevents the Occupying Power from respecting the long-standing organization of our general administration. Questions of Belgian internal policy affecting the Belgians only can only be decided by the Belgian Chambers, by the Belgian Government, and by the King of the Belgians.

Your Excellency must have been misinformed as to the motives for the withdrawal of those functionaries who have resigned their posts. Had you taken a higher view of the noble attitude of these brave men you would have seen that, instead of acting harshly towards them, you should, with all other lofty souls, have admired

their discretion and self-sacrifice ; their discretion, because they preferred to give up their salary by retiring rather than do an ill turn, under its shelter, to an administration with which they could no longer loyally collaborate ; their self-sacrifice, because they have offered their own interests and the security of their homes upon the altar of their country.

Excellency, deign to believe those who know the Belgian people and their history ; no violence will ever affect their patriotism.

Accept, etc.

To this admirable expostulation the German Governor-General made the following reply, which is only a shifty evasion :—

BRUSSELS, *June 13th, 1917.*

Your Eminence addressed a letter to me on June the 6th in which you quoted plain principles of International Law, and took exception to certain of my official acts. I must respectfully inform your Eminence that I refuse to enter into any discussion upon this subject.

Your Eminence will find me always prepared, like my predecessor, to pay attention to the wishes of the Episcopate in ecclesiastical matters, so far as circumstances permit. On the other hand, I am obliged formally to require that all the clergy shall confine themselves formally to the accomplishment of their religious mission.

I beg your Eminence to accept the expression of my distinguished regards.

BARON VON FALKENHAUSEN, Colonel-General.

IV.—PROTEST OF LEADING BELGIAN POLITICIANS
AGAINST THE ADMINISTRATIVE DIVISION OF THE
COUNTRY AND AGAINST THE DEPORTATION OF
BELGIAN OFFICIALS.

*To His Excellency Herr von Bethmann Hollweg,
Chancellor of the German Empire, Berlin.*

EXCELLENCY,

In his note of January 4th, 1915, addressed, with the assent of His Excellency Baron von Bissing, to the President of the Civil Administration of Hasselt, and passed on for the information of all the Belgian Ministerial departments, the Head of the Civil Administration, attached to the Governor-General in Belgium, declared that it was "permitted to the Belgian officials to decide freely whether they could reconcile the further exercise of their business with their duty towards the Belgian State, assuring them that those among them who might give up their posts, even after having signed a declaration of loyalty, need not fear that they had done themselves any harm beyond the loss of their salary—so long as they have not failed *in any other manner* to carry out their obligations, nor prejudiced the interests of the German Administration."

This declaration was, however, superfluous.

Superfluous because it merely confirmed the guarantee which public servants already enjoyed in occupied territory in virtue of Article 43 of the Supplementary Laws

of the Hague Convention of 1907 (see preparatory works).

Superfluous also because the contract of employment for an indefinite period can always be broken at will by either of the contracting parties.

Thus protected twice over, by International Law and by a private law, the administrative personnel of the Belgian State consented, however much it cost them, to lend their experience and their labour for several years to the Occupying Power, in order to help to safeguard the highest interests of the country.

This co-operation has always been loyal, for, speaking only of ministerial officials, not one of them has ever incurred the reproach of having, in the exercise of his duties, failed in his obligations or prejudiced the interests of the German Administration.

Now, M. the Governor-General, Baron von Falkenhäusen, by his decision of May the 19th last, enjoins upon the Head of the Civil Administration to retract his declaration of January 4th, 1915, to abrogate the first paragraph of his circular, and consequently to deprive officials of their manifest right to free themselves from the obligations of their duties by giving up their posts. This retraction is justified, says the note, "by the long duration of the war and the Occupation, which has created circumstances that do not allow the regular continuation of administrative affairs to be compromised by endless resignations, which are injurious to the obvious interests of the country and fail to meet the just demands of the Occupying Power."

Whatever reasons of State such a decision may plead, it cannot disregard the Hague Convention, and less still can it introduce a one-sided modification of the conditions under which, in 1915, the two parties mutually entered into their engagements. Even supposing that it could bind those who, in the future, submitted themselves freely to it, with full knowledge, it could not have a retrospective effect nor deprive of their legal right those to whom permission to resign was formally and explicitly reserved, and who now wish to take advantage of this permission so as not to co-operate in the administrative separation of Belgium.

Upon the assurance that their liberty and their fidelity to our institutions would be respected, we did not hesitate when, in 1914 and 1915, the régime of the Occupation began to establish itself in Belgium, to exert our influence on our public employés and encourage them to remain at their posts ; and we have never since ceased to support them in the accomplishment of the ungrateful task which they had undertaken. The thought that they were thus serving the cause of public order traced for us this line of conduct. But that same thought to-day enjoins upon us the imperious duty of ranging ourselves at their side and raising our voice for their defence and protection.

Many with a long and honourable career behind them have already been punished for their resistance ; arrested and transferred to Germany, they suffered, in addition to the rigours of exile, those of imprisonment.

Still more numerous are the persons threatened with a similar fate.

After our unhappy compatriots have been deported into Germany, where thousands of them still await, the prey meanwhile of inexpressible physical and moral sufferings, the liberation promised to them—after hundreds of men of all ages and conditions have been deported into France, close to the firing-line—we now have to witness the deportation of the officials of the central authorities.

What is their crime ?

That they availed themselves of the terms of an agreement bearing the signature of the highest official of the Civil Administration, and ratified by the acting Governor-General, in order to obey the behests of their professional conscience !

That they resigned their posts because the services now required of them were against all natural feeling, and instead of serving their country they would have turned against her !

It is because they renounced the authority wherewith they were invested in order to avoid becoming accomplices in a systematic attempt at national disorganization.

Their crime was not to be traitors !

Ah ! if events compel us to remain impotent witnesses of the violence done to them, at least it shall never be said that we, the representatives of the Belgian nation, remained impassive and mute spectators.

Convinced that they convey the sentiments of all their colleagues, the undersigned beg your Excellency to receive the assurance of their high esteem.

June 12th, 1917.

LIST OF SIGNATORIES.

Ministers of State.

BARON DE FAVEREAU, President of the Senate.

Vicomte DE LANTSHEERE, ex-President of the Chamber of Deputies.

Count WOESTE, Ch., Representative of Alost.

Senators.

BRAUN, Alex., for Brussels.

BRUNARD, H., for Nivelles.

DELANNOY, Provincial Senator of Brabant.

DE BECKER REMY, A., for Louvain.

DE RO, G., for Brussels.

D'HUART, Baron A., for Namur-Dinant-Philippeville.

DUBOST, Ed., for Brussels.

DUPRET, G., for Brussels.

HALLET, Max, Alderman of Brussels, Senator for Brussels.

HANREZ, Prosper, for Brussels.

KEPPENNE, J., for Liège.

Members of the Chamber of Representatives.

BERTAND, L., for Brussels.

BUYL, for Western Flanders.

CALLENS, for Antwerp.

COCQ, E, for Brussels.

DALLEMAGNE, J., for Liège.

DE BUE, for Brussels.

DELPORTE, A., for Brussels.

DU BUS DE WARNAFFE, for Arlon-Marche-Bastogne.

FRANCK, Louis, for Antwerp.

GOBLET, for Liège.

HANSENS, Eug., for Brussels.

Senators—Continued.

LEKEU, J., Provincial
Senator for Hainault.
MAGIS, for Liège.
MAGNETTE, for Liège.
MESENS, Edm., for Brus-
sels.
POELAERT, Alb., for Brus-
sels.
RIJCKMANS, for Antwerp.
SPEYER, H., for Arlon-
Marche-Bastogne.
VAN DER MOLEN, for Ant-
werp.
VAN REYNEGOM DE
BUZET, Baron, for Ant-
werp.
VINCK, Provincial Sena-
tor for Brussels.

*Members of the Chamber of
Representatives—Contd.*

JANSON, P.-E., for Tour-
nai.
JOUREZ, L., for Nivelles.
LAMBORELLE, for Malines.
LEVIE, M., for Charleroi,
former Minister of
Finance.
NEUJEAN, for Liège.
OZERAY, for Luxembourg.
PETEN, for Limbourg.
ROYER, for Antwerp.
TIBBAUT, for Termonde.
TROCLET, Léon, for Liège.
WAUTERS, for Huy-Wa-
remme.
WAUWERMANS, P., for
Brussels.

V.—PROTEST OF THE BELGIAN LEGAL PROFESSION
AGAINST THE ADMINISTRATIVE DIVISION OF THE
COUNTRY AND AGAINST THE DEPORTATION OF
BELGIAN OFFICIALS.

BRUSSELS, *June* , 1917.

*To His Excellency Dr. von Bethmann Hollweg, Chancellor
of the German Empire, Berlin.*

EXCELLENCY,

Being naturally affected by the measures of deportation taken against officials of the Belgian ministerial departments, because these officials have made valid use of the right of resigning their employment, the undersigned, members of the Brussels Legal Profession and Courts of Judicature, address themselves to your Excellency in the name of Law and Justice, invoking the high principles which are common to all civilised people and constitute the Law of Nations.

At the time when, in 1914 and 1915, the Occupation was organizing its form of government in Belgium, many were the assurances given to the Belgians that the Occupant would respect their patriotism and their fidelity to their sacred duties towards their King, Law and Country.

It was under the protection of these promises and from the desire to be useful to their unfortunate country, that the officials remained at their various posts and agreed to serve the Occupying Power, which to them was, and only could be, the temporary administrator of the territory. This agreement to continue the honest discharge of their duties they have never failed to observe.

The engagement was terminable at any time. An official can always cancel at any moment an arrangement which is of a purely provisional character ; he cannot be deprived of this right. Especially is he at liberty to retire if personal or conscientious reasons instigate the withdrawal, if he considers the obligations imposed upon him entail co-operation in actions contrary to the interests of his Country, if he feels that his patriotism and his honour, of which he alone is judge, make it a duty to resign.

This provisional character of the engagement was duly recognised when His Excellency Dr. von Sandt, in accordance with instructions from the Governor-General, Baron von Bissing, confirmed by writing, on January 4th, 1915, and made publicly known, that those retaining their employment would be free to break the engagement at any moment, and that none of them should be troubled did they avail themselves of this privilege—thus recognising a principle about which there had never existed and never could exist any doubt whatever.

Since 1874 representatives of all civilised nations who met in Congress at Brussels, to draw up conditions for military occupation, solemnly and unanimously decided “ that an official could not under any circumstances be deprived of the right to lay down his office.” In 1899 and in 1907 this declaration was not even re-discussed ; and jurists unhesitatingly accept it to-day as an axiom of International Law founded upon conscience and universal justice.

The Occupant cannot, therefore, impose upon Belgian officials any obligation to continue to discharge their duties. He cannot force them, under pain of deportation, to collaborate in a scheme of disuniting children of the same motherland, contrary to our laws and traditions and of a nature to dislocate the public services.

As trustees of Law and Right, we owe it to truth to affirm solemnly the right of Belgian officials to know the nature of the acts with which it is intended to associate them, and to break at any moment, if such acts demand it, an engagement which depends only upon their free will ; to affirm, also, that they may not be proceeded against for refusing help which they cannot reconcile with their duty to their country ; and that the measure in view is one of contempt for services freely offered and for the highest principles of the sovereign right to which the nations have submitted, and for the Laws of Justice and Humanity.

We are fully convinced, however, that this unjustifiable measure, which deeply wounds the public conscience, will be repealed.

We beg your Excellency to receive the assurance of our highest regard.

(Here follow 400 to 500 signatures of the legal world—from Justices of the Peace to Members of the Parquet and of the Court of Appeal—and of Barristers of the Court of Appeal.)

VI.—PROTEST OF THE COMMUNAL COUNCIL OF
ANTWERP AGAINST THE ADMINISTRATIVE DIVISION
OF THE COUNTRY.

ANTWERP, *July 6th*, 1917.

M. LE SÉNATEUR,*

You have forbidden the communal administration of Antwerp to discuss the question of administrative separation, whether in the College or in the Council, saying that the "autonomous communal administrations must limit their activity to the despatch of communal administrative affairs, and that all attempts on their part to gain information concerning State affairs will meet with energetic opposition."

To avoid all misunderstandings the Burgomaster had judged it expedient not to enter in the orders of the day an interpellation relative to administrative separation which had been notified at a session of the communal council on June 5th, 1917.

But Article 21 of the Constitution gives us an incontestable right to address ourselves in a suitable manner to the higher administration, in order to let it know our opinions on the subject of questions of general interest.

We wish to use this constitutional right in what concerns the decision taken by the Occupying Power to cut the country in two, and to represent this measure as a concession to the Flemings.

* The German Governor of Antwerp is a "Senator" of Hamburg.

The Antwerp Administration has always taken up the defence of the rights of the Flemish language. More than half a century ago the Flemish tongue was proclaimed the official language of the commune ; no important reform has been projected in this connection by the Government or by the Legislature without our communal council making its opinions known. The decision has in each case been favourable to the Flemings.

But we cannot give our consent to Administrative Separation.—In Flanders, as in the Walloon districts, this measure has secured the adhesion of a small group of men, none of whom can be recognised as having the right to act in the name of our people and who in this matter represent only themselves.

In the protest addressed to the Imperial Chancellor by MM. Franck and his Associates, the legal representatives of all our Flemish districts—so far as these are still accessible—have developed on the contrary, in a decisive manner, the reasons which render our people hostile to the policy which the German Empire calls a security for itself. Their Flemish colleagues who are now abroad have expressed similar sentiments. All are of opinion that the Occupying Power goes beyond its rights when, instead of respecting the laws of the country, it treats with disdain the very foundations of constitutional procedure, creating two capitals, instituting two series of ministerial departments, altering the boundaries of provinces, disposing of existing representatives without the consent of the electors—in a word, acting in our age of popular government and in our free country as if Belgium

had become by the fact of the Occupation an Absolutist State wherein the will of the administration is all-powerful and disposes at its pleasure of laws and institutions.

This is our unanimous opinion.—The conduct of the separatists is unpardonable in the sight of the Flemish people, in that they put forward administrative separation as an article of the Flemish programme. Always in all countries and in all eras individual opinions can be found favourable to all possible solutions. But there is not a single programme of our great Flemish associations, there is not one profession of faith on which our minorities have been elected by any of our political bodies which allows of administrative separation. We consider this measure as *harmful to the existence of our country, as favourable to our enemies, as being in contradiction to all our traditions and our highest interests.* Although Belgium has not unity of language, she is not an arbitrary creation of diplomacy without historic basis. On the contrary, Flemings and Walloons have, from time immemorial, lived and worked in our countries in a unique framework of public organization. Since the middle ages, the three great fiefs which essentially formed our country, the County of Flanders, the Duchy of Brabant, and the Episcopal Principality of Liège, had a bilingual population. Later on, the Low Countries preserved the same character. But this has not destroyed the right of the two languages to be equally respected. This same equality of rights, these same conditions favourable to the development of our popular life in Flanders, could also be realised in modern Belgium ;

and we wish to see them realised for Flanders, but by our own Parliament, without foreign intermeddling and without injury to the unity of the Motherland.

If Antwerp prides itself upon being the most Flemish town in the jurisdiction, it is not the less proud of being, as a port and an artistic centre, one of the most powerful units of *undivided* Belgium; and does not yield in point of patriotism to any other commune. *This patriotism embraces the whole country with the same cordial affection, all our Walloon and Flemish compatriots without distinction*, and it is deeply wounded by the idea of such a measure as administrative separation.

We who know our people and *have the right to speak in their name*, can certify that our opinions are shared by the generality of our citizens.

Blind are those who cannot see that a people has other interests than those of language, however great and honourable these may be ! Separated from each other, Flemings and Walloons would become so enfeebled that they would no longer be of any account among the nations. United, they form a State which, however small in extent of territory, has learnt how to win the respect of the world, and has still a part to play among free humanity.

We beg you, M. le Sénateur, to forward to the higher administration our complaint in reference to the contemplated measure.

(Signed by all the Members of the Antwerp Communal College and Council.)

VII.—EXTRACT FROM THE “MEMORANDUM OF THE BELGIAN LABOUR PARTY,” SENT TO MM. EMILE VANDERVELDE AND L. DE BROUCKÈRE IN AUGUST, 1917.

Describing the German Occupation's rule in Belgium, the authors of this Official Memorandum of the Belgian Socialist Party write as follows :—

“ . . . Next comes wholesale corruption and division sown in the ranks by the exploitation of Flemish claims. Because they have failed with the organized working-classes, who proudly refused the degrading gifts offered by Privy Councillor Bidmann in the Emperor's name, they have turned to some fanatics, people of no standing, often bankrupt in honour, from whom the ‘Council of Flanders’ was formed, in flagrant disregard of international convention and without the sanction or approval of any of those who have a public mandate in Flanders or who have played an important part in the Flemish movement. At the very moment when attempts were on foot to make the world believe that no violence had been done to the independence of Belgium, a plan of separating Flemings and Walloons which revolted the public conscience was sprung upon them. The officials who, faithful to their oath, refused to help the enemy in the work of division and destruction, were imprisoned and deported. And the *Vorwärts* immediately encouraged these blacklegs by saying that these measures will have a good effect upon

Flemish 'culture.' "In whatever circumstances you find yourself, show yourself brotherly and loyal," cried the P.O.B.,* on August the 3rd, to the comrades enrolled under its flag. How far away we are, alas! from the last remnants of fraternity and kindness! Dissipating all illusions, German militarism has inflamed the heart of the proletariat with an indestructible fire of hatred. We sometimes dream with terror of the days when, the nation once more free, all the flood of injustice and suffering, of misery and ruin, of crimes and infamy inflicted on the nation will come into the light, rousing such hatred as history has no record of."

* Parti Ouvrier Belge.

VIII.—PROTEST OF THE COMMUNAL COUNCILS OF THE
BRUSSELS AREA, ADDRESSED TO THE DIPLOMATIC
REPRESENTATIVES OF THE NEUTRAL POWERS AT
BRUSSELS.

BRUSSELS, *September 12th*, 1917.

M. LE MINISTRE,

We think it our duty, in the name of all the Communes of the Brussels Area, to draw your Excellency's attention to the very serious question raised by a resolution of the Governor-General in Belgium (*Official Bulletin* of September 2nd), whether from the point of view of Belgium itself or from the point of view of the essential principles of the Law of Nations.

This resolution, dealing, as its title shows, with the official language of Flanders, enacts that in the Flemish administrative district Flemish is to be the exclusive official language of all the authorities and officials of the State, of the provinces and the communes, as well as of their various educational institutions and establishments and the teaching staffs (Art. 1).

Article 5 of the resolution extends this provision to the Issuing Department of the Société Générale de Belgique, to the Banque Nationale de Belgique, to the General Savings Bank and Pensions Office, to the National Society of Waterworks and to the Local Tramway and Railway Companies, to Electrical Lighting and Power Works, to charitable institutions and all other establish-

ments, institutions, societies or persons filling public offices.

This resolution was the sequel to an earlier one of March 21st, 1917, creating two administrative regions in Belgium, which elicited the strongest protests throughout the Flemish portion of the country, and particularly from the city of Antwerp.

We might insist upon the fact that the above-mentioned resolutions ignore all the historical traditions and ancient customs of Belgium. Quite arbitrarily they attach to Flanders territory which formerly was a part of the Duchy of Brabant.

It would be equally easy for us to show that if the resolution of August 9th, 1917, should pass into law it would entail most painful disturbances among the population, and would, almost certainly, result in the disorganization of the public services.

But it is not to questions of this kind, whatever their practical importance may be, that we feel it our especial duty to direct the attention of the Neutral Powers. The latter cannot view with indifference a direct attack upon the fundamental principles of international law nor the obvious infringement of an International Convention to which they themselves subscribed.

In this particular case the violation of Article 43 of the Hague Convention of October 18th, 1907, is a notorious fact.

The resolution of August 9th, 1917, does not stop at the abolition of the existing laws. It also abrogates Article 23 of the Belgian Constitution, notifying that the

employment of the tongue in common use in Belgium is optional, that it can only be regulated by law, and then only for the proceedings of public authorities and for legal matters.

The resolution of August 9th, 1917, suppresses the principle of this liberty of language, and it claims to regulate offhand the employment of our languages in cases entirely foreign to proceedings of public bodies. It even penetrates into the domain of private rights, since it is expressly aimed at industrial and financial establishments, whose organization is entirely distinct from that of public bodies. It would be difficult to imagine a more flagrant defiance of Article 43 of the Hague Convention.

This Article runs thus : " Legal authority having in practice passed into the hands of the Occupant, the latter will employ all means in its power calculated to re-establish and secure the course of public life, by respecting, *unless absolutely prevented, the laws in force in the country.*"

It is clear that this provision lays upon the Occupant the duty of respecting laws in force. It can only suspend them when there is a positive necessity to do so. This suspension may be required by political or military considerations. The clear issue of the discussions preceding the adoption of this article was that it was unanimously regarded as likely to assure to the occupied country a safeguard against the invader.

It is incontestable that neither in the interests of public order nor of necessity did the Occupying Power promulgate the resolution of August 9th, 1917. Its only aim

was to modify and change for all future time Belgium's form of internal government. From then onwards the policy adopted was not one which the due exercise of the rights of occupation makes more or less necessary ; but the application of the right of conquest, manifesting itself under completely abnormal conditions, since the National Government still exists, since its existence is recognised by all States without exception, and its armies daily take part in military operations.

The Belgian people have not ceased to be deeply attached to their liberties. They have constantly protested against absolutism. What especially outrages them in the resolution of August 9th, 1917, and had previously outraged them in the edict of March 21st, is that the Occupying Power assumes, contrary to the Law of Nations, the prerogatives of a conqueror and a master, and considers itself at liberty to alter and remodel to its own taste the internal constitution of the country regardless of the wishes of the inhabitants.

The communal administrations are likely to find themselves in a particularly embarrassing situation owing to the resolution of August 9th, 1917. The putting of the act into force, should its application be pressed home, would tend to introduce incurable trouble into all the public services, perhaps even complete disorganization.

Further : the communal administrations would have to ask themselves whether it would be possible and permissible for them to withdraw from conflicts with the Occupying Power. The communal authorities—especially

those in the Brussels area—know well enough that the resolution of August 9th, 1917, is radically opposed to the traditions, interests and wishes of the population whom they represent and whose accredited agents they are. They cannot acquiesce, even tacitly, in this arrangement, without in some way or other betraying the confidence of those who have appointed them to watch over public affairs.

On the other hand, considerations of international law forbid the communal administrations to accept meekly so flagrant an example of the Rights of Conquest exercised under cover of the Rights of Occupation.

We confidently believe that Belgium will sooner or later recover her complete independence, safe from all foreign intermeddling.

Nevertheless, we must not omit to take into account the possibility that Belgium's ultimate destiny may be the subject of diplomatic negotiation. Numerous signs admonish us that Germany entertains the design—or at least cherishes the hope—of getting some of the changes which she has made in the internal regulations of Belgium sanctioned by international treaties. It would be most injurious to this land were the present invader in a position to point to an accomplished fact and claim it as a kind of assent tacitly accorded by the population itself, and by those organizations of public and private law to which the management of its interests is confided.

If, in the circumstances, conflicts should break out, we think it desirable that the Neutral Powers should know that they would be due to an obvious violation of the

Law of Nations by the Occupant, and on the side of the communal authorities by the reasonable anxiety lest the true intentions and wishes of the Belgian people should be unrecognized and misrepresented in the future.

We are persuaded that the seriousness of these considerations will not escape your Excellency's notice, and we beg you to accept the assurance of our high esteem.

IX.—A FURTHER PROTEST BY THE COMMUNAL COUNCIL
OF BRUSSELS.

U.—9853.

BRUSSELS, *October 29th*, 1917.

The Communal Council of Brussels considers itself bound to make a unanimous and energetic protest against the resolution of August 9th and against the circular of October 6th, 1917.

The Council considers that its protest has the more weight because it is a political assembly elected by a form of democratic suffrage, and includes representatives of every shade of opinion. It knows that in raising this protest it is the mouthpiece of the whole population of Brussels.

It protests in the name of this population's interests, which would be seriously affected by the introduction of an administrative régime changing long-standing conditions which are the outcome of varied needs and give no grounds for alterations.

It protests in the name of the Belgian Constitution and of Belgian laws, which were slighted and transgressed by the resolutions of August 9th and by the circulars of October 6. The members of the Communal Council took the oath of obedience to the constitution and laws of the Belgian people. The Communal Administrations would break this oath should they give their co-operation in carrying into law the measures which have just been decreed.

It protests in the name of national self-respect. The

Belgian people has had to submit to foreign Occupation. It has not been conquered. It cannot allow the Occupant, without any regard for the wishes of the population, to alter, in violation of the Law of Nations, the interior regulations of the country whose well-being it is its duty to maintain.

The Communal Council protests finally in the name of the country's future. It is absolutely necessary that no one in any country or at any time should be ignorant of the real feelings and the wishes of the Belgian people. The Belgian people chooses to be master of its own destiny. It refuses its consent to any measure which the Occupant has arbitrarily taken without consulting it. Its will must declare itself unaltered, resolute, incontrovertible on the day when peace negotiations shall be opened and when, to use the words of eminent politicians, the reign of right shall be definitely substituted for the temporary reign of force.

THE MEMBERS OF THE COMMUNAL COUNCIL OF
BRUSSELS :

(Signatures follow here.)

X.—TELEGRAMS WHICH PASSED BETWEEN THE BELGIAN MINISTERS AND KING ALBERT ON THE FEAST DAY OF HIS MAJESTY'S PATRON SAINT (November 15th, 1917).

On the Feast Day of King Albert's Patron Saint, the members of the Belgian Government sent the following telegram to His Majesty :—

For the fourth time, amid the clash of war, at the head of our dear Army and facing the enemy, your Majesty will receive the homage and good wishes which the return of your patronal fête gives us the opportunity of sending you.

The prolongation of the unspeakable ordeal through which Belgium is passing not only reveals more clearly to the world with every succeeding day how just is her cause, how valiant are her soldiers, and how indomitable is the patriotism of her children, but it also lights up with ever-increasing brilliancy the dignity, the courage and the wisdom of her King. All our sacrifices and all our sufferings—all the barbarities and all the falsehoods devised by our invaders—only cause the Belgian nation to gather more closely round the chief of whom she is proud, and in whom she loves to personify her virtues and her destiny.

In the heart of the occupied territory the public representatives, protesting against the despicable stratagem wherewith the enemy has attempted to split up our national unity, have solemnly declared : " All of us, Flemings and Walloons, have at this time only one wish, one hope, one single thought—*Our Country, Free and Indivisible*.

With that cry, given with all our hearts, is heard also that other sentiment, that other wish of every Belgian : " Long live King Albert ! May he soon—when the

common efforts of the Allies shall have avenged the violation of Law and safe-guarded International Faith against fresh treason—happily preside over the restoration of that Belgian country, free and indivisible, for whose independence and glory he has striven so nobly.

CH. DE BROQUEVILLE, H. CARTON DE WIART,
P. BERRYER, A. VAN DER VYVERE. P. POULLET,
G. HELLEPUTTE, A. HUBERT, P. SEGERS,
J. RENKIN, Général DE CEUNINCK, E. VANDER-
VELDE, P. HYMANS, Comte GOBLET D'ALVIELLA.

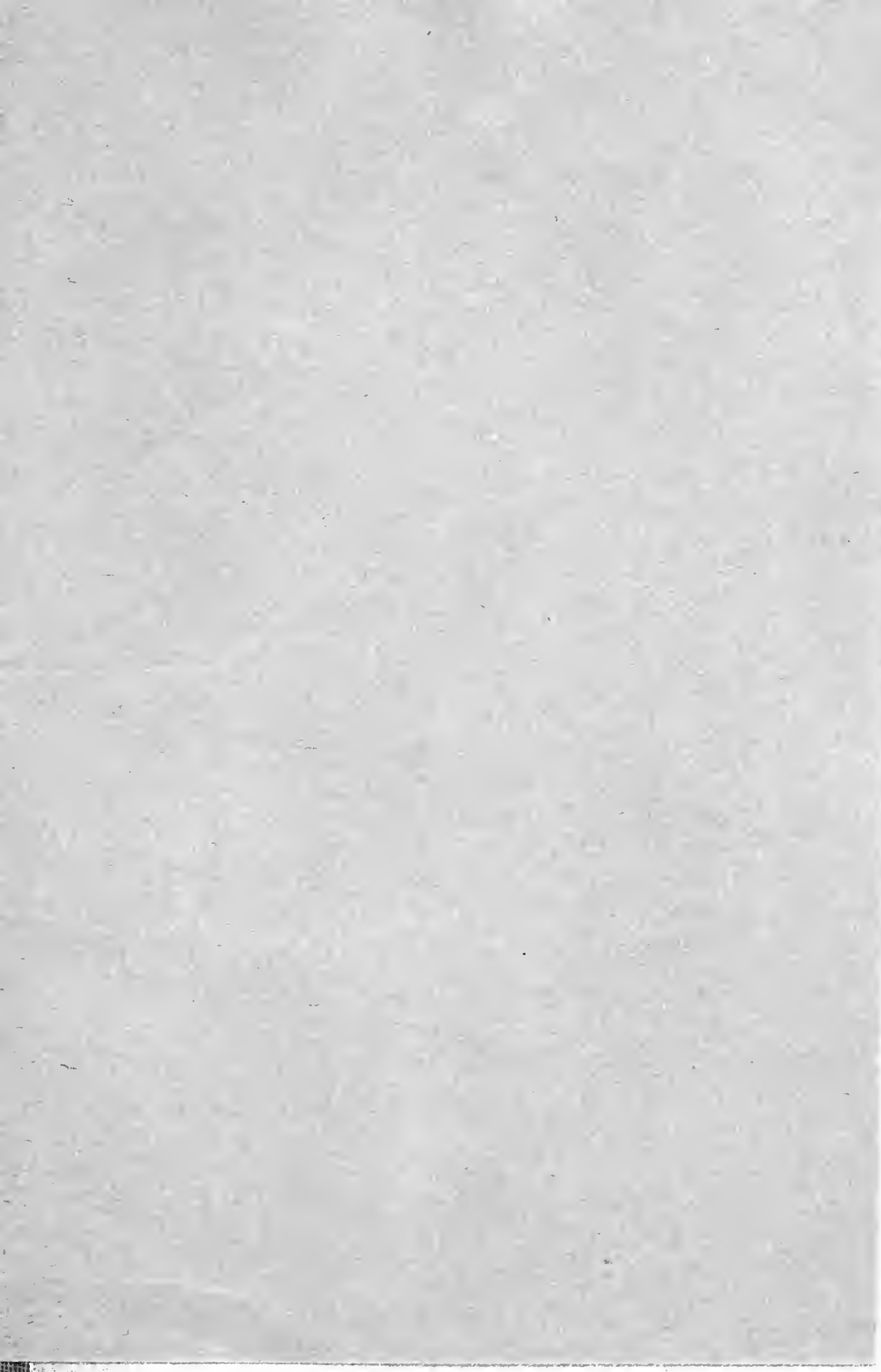
The King replied :—

I am much moved by your good wishes and thank you for so warm an expression of them. I associate myself with your protest against the unwarrantable interference of the enemy in our internal affairs, the exclusive province of the National Sovereignty. With equal devotion and equal self-abnegation to the service of our country let us continue to maintain that indissoluble union which alone can assure the destinies of a strong and prosperous Motherland.

ALBERT.



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